



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

4601 N Monroe Street • Spokane, Washington 99205-1295 • (509)329-3400

October 23, 2013

Mr. Richard Lamb
3441 Powerline Road
Walla Walla, Washington 99362

Re: Applications for Change under Ground Water Certificate No. 174-A(D)

Dear Mr. & Mrs. Lamb:

In response to your request, you are hereby granted an extension to put the water to full beneficial use for the reason(s) below:

According to the request, you have withdrawn your Proof of Appropriation form and additional time is required to put water to full beneficial use. Your letter indicates that this form was submitted prematurely, since it only pertained to Lot B-1 and not the whole project. In addition, your letter authorized Mr. Hicks to request an extension of the project, since it is his lot that has not been completely developed. Mr. Hicks proposed to complete construction of the system and put water to full use within the next two years. It appears that minimal progress has been made on this project as it pertains to the development of Lot A-1. Be advised that the State Water Code requires that your project be pursued with diligence and does not allow, through the permitting process, the reservation of water for use at an unspecified time in the future. It is important that construction of your project be completed within the time prescribed in the authorization. Your requested extension is a reasonable period of time. We will grant you an additional two years to complete construction of the project and put water to full beneficial use.

The new deadline to submit your *Proof of Appropriation of Water* is **November 1, 2015**.

Wells, Well Logs and Well Construction Standards

All wells constructed in the state must meet the construction requirements of WAC 173-160 titled "Minimum Standards for the Construction and Maintenance of Wells" and RCW 18.104 titled "Water Well Construction". Any well which is unusable, abandoned, or whose use has been permanently discontinued, or which is in such disrepair that its continued use is impractical or is an environmental, safety or public health hazard must be decommissioned.

Installation and maintenance of an access port as described in WAC 173-160- 291(3) is required.

Measurements, Monitoring, Metering and Reporting

An approved measuring device must be installed and maintained for each of the sources identified by this water right in accordance with the rule "Requirements for Measuring and Reporting Water Use", WAC 173-173, which describes the requirements for data accuracy, device installation and operation, and information reporting. It also allows a water user to petition the Department of Ecology for modifications to some of the requirements.



Well water use data shall be recorded weekly and maintained by the landowner for a minimum of five years. The weekly maximum rate of withdrawal, the annual total volume, and shall be submitted to ecology by January 31st of each calendar year.

Water Use Efficiency

The water right holder is required to maintain efficient water delivery systems and use of up-to-date water conservation practices consistent with RCW 90.03.005.

Proof of Appropriation

The water right holder must file the notice of Proof of Appropriation of water (under which the certificate of water right is issued) when the permanent distribution system has been constructed and the quantity of water required by the project has been put to full beneficial use. The certificate will reflect the extent of the project perfected within the limitations of the water right. Elements of a proof inspection may include, as appropriate, the source(s), system instantaneous capacity, beneficial use(s), annual quantity, place of use, and satisfaction of provisions.

Schedule and Inspections

Department of Ecology personnel, upon presentation of proper credentials, will have access at reasonable times, to the project location, and to inspect at reasonable times, records of water use, wells, diversions, measuring devices and associated distribution systems for compliance with water law.

YOUR RIGHT TO APPEAL

You have a right to appeal this action to the Pollution Control Hearing Board (PCHB) within 30 days of the date of receipt of this document. The appeal process is governed by Chapter 43.21B RCW and Chapter 371-08 WAC. "Date of receipt" is defined in RCW 43.21B.001(2).

To appeal, you must do the following within 30 days of the date of receipt of this document:

- File your appeal and a copy of this document with the PCHB (see addresses below). Filing means actual receipt by the PCHB during regular business hours.
- Serve a copy of your appeal and this document on Ecology in paper form - by mail or in person. (See addresses below.) Email is not accepted.

You must also comply with other applicable requirements in Chapter 43.21B RCW and Chapter 371-08 WAC.

| Street Addresses | Mailing Addresses |
|---|--|
| Department of Ecology Attn: Appeals Processing Desk 300 Desmond Drive SE Lacey, WA 98503 | Department of Ecology Attn: Appeals Processing Desk PO Box 47608 Olympia, WA 98504-7608 |
| Pollution Control Hearings Board 1111 Israel Road SW Suite 301 Tumwater, WA 98501 | Pollution Control Hearings Board PO Box 40903 Olympia, WA 98504-0903 |

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*For additional information visit the Environmental Hearings Office Website:
<http://www.eho.wa.gov> . To find laws and agency rules visit the Washington State Legislature
Website: <http://www1.leg.wa.gov/CodeReviser> .*

If you have any questions, please contact Dan Tolleson at 509-329-3526.

Sincerely,



Keith L. Stoffel
Section Manager
Water Resources Program
Eastern Regional Office

KLS/DT:md

W: Extensions/letters/Tolleson/2013/Lamb 174-A 10-23-2013.doc

Enclosures: *Proof of Appropriation of Water*
Your Right to Be Heard

cc: Bill Neve, Water Right Solutions, PO Box 511, Walla Walla, WA 99362
Roger and Judy Hicks, 110 West Langdon Road, Walla Walla, Washington 99362